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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,) 2:17-CR-052-KJD-(GWF)
9 Plaintiff,)
10 v.) Amended Preliminary Order of Forfeiture
11 RUBEN DELGADILLO,)
12 Defendant.)

13 This Court finds that defendant Ruben Delgadillo pled guilty to Count One of a One-
14 Count Criminal Information charging him with Possession of Child Pornography in violation of
15 Title 18, United States Code, Section 2252A(a)(5)(B). Criminal Information, ECF No. 19; Plea
16 Agreement, ECF No. 21; Change of Plea, ECF No. 24.

17 This Court finds defendant Ruben Delgadillo agreed to the forfeiture of the property set
18 forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information. Criminal
19 Information, ECF No. 19; Plea Agreement, ECF No. 21; Change of Plea, ECF No. 24.

20 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
21 America has shown the requisite nexus between property set forth in the Plea Agreement and the
22 Forfeiture Allegation of the Criminal Information and the offense to which defendant Ruben
23 Delgadillo pled guilty.

24 The following property is (a) any visual depiction described in Title 18, United States
25 Code, Section 2252A, or any book, magazine, periodical, film, videotape, or other matter which
26 contains any such visual depiction, which was produced, transported, mailed, shipped or received

1 in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b) any property, real or
2 personal, used or intended to be used to commit or to promote the commission of Title 18,
3 United States Code, Section 2252A(a)(5)(B) or any property traceable to such property, and is
4 subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1) and 2253(a)(3):

- 5 a. Black Sony PlayStation 3 video game console with a power cord, SN
6 CG165163466-CECH-2001A;
- 7 b. Black Sony PlayStation 4 video game console with a power cord, SN
8 MB068688929;
- 9 c. Black Sony PlayStation 3 video game console with a power cord, SN
10 C3928449288-CECHE01;
- 11 d. Grey Microsoft Xbox 1 video game console with a power cord, SN 109049543648;
- 12 e. Black ASUS laptop with a power cord, SN 13GNX37OPO1X-2;
- 13 f. Grey Microsoft PRO Tablet/Laptop computer, SN 062137245053;
- 14 g. Silver SATA hard drive and enclosure;
- 15 h. Silver Toshiba laptop hard drive, SN YBMACBNKT;
- 16 i. Silver Samsung Laptop Hard Drive, SN S313J9FD907843;
- 17 j. 8 miscellaneous thumb drives;
- 18 k. 3 miscellaneous memory cards;
- 19 l. Black Western Digital External Hard Drive, SN WXN1E84105RV;
- 20 m. 256MB SanDisk Memory Stick;
- 21 n. 16MB Kodak memory card;
- 22 o. 64MB Kodak memory card;
- 23 p. 4GB Micro SD Card with adapter;
- 24 q. 16GB Micro SD Card with adapter;
- 25 r. Black Samsung Galaxy S7 cellphone, SN unknown;
- 26 s. Grey Samsung Galaxy S6 cellphone, SN 359702060303607;

1 t. 8GB Sony PS Ultra SD card;
2 u. Black Cricket cellphone with black case; and
3 v. Apple Mini iPad, serial number DLXJWGVHF194, in a red case
4 (all of which constitutes property).

5 This Court finds the United States of America is now entitled to, and should, reduce the
6 aforementioned property to the possession of the United States of America.

7 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
8 the United States of America should seize the aforementioned property.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
10 of Ruben Delgadillo in the aforementioned property is forfeited and is vested in the United States
11 of America and shall be safely held by the United States of America until further order of the
12 Court.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
14 America shall publish for at least thirty (30) consecutive days on the official internet government
15 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
16 property, state the time under the applicable statute when a petition contesting the forfeiture must
17 be filed, and state the name and contact information for the government attorney to be served
18 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
19 Section 853(n)(2).

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
21 entity who claims an interest in the aforementioned property must file a petition for a hearing to
22 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
23 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
24 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
25 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
26 facts supporting the petitioner's petition and the relief sought.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
2 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
3 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
4 sixty (60) days after the first day of the publication on the official internet government forfeiture
5 site, www.forfeiture.gov.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
7 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
8 the following address at the time of filing:

9 Michael A. Humphreys
Assistant United States Attorney
10 Daniel D. Hollingsworth
Assistant United States Attorney
11 501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.
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13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
14 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
15 agency following publication of notice of seizure and intent to administratively forfeit the above-
16 described property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
18 of this Order to all counsel of record.

19 DATED this 27th day of April, 2017.
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UNITED STATES DISTRICT JUDGE
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